

Application No. 10/079,555
Response to Office Action

Customer No. 01933/

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claims 1 and 8 have been amended to clarify the feature of the present invention whereby the delivery confirmation mail is a mail that notifies whether delivery of the image data has succeeded or failed.

In addition, claims 1-3 and 8 have been amended to make some minor grammatical improvements and/or to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

Still further new claims 10 and 11 have been added to recite the subject matter of claims 2 and 3 depending from claim 8.

Yet still further, new claims 12-14 have been added to recite the subject matter of claims 1-3 in means-plus-function form.

No new matter has been added, and it is respectfully requested that the amendments to claims 1-3 and 8 and the addition of claims 10-14 be approved and entered.

It is respectfully submitted, moreover, that the amendments to the claims are clarifying in nature only, and do not narrow the scope of the claims either literally or under the doctrine of equivalents.

Application No. 10/079,555
Response to Office Action

Customer No. 01933/

THE PRIOR ART REJECTION

Claims 1-3 and 8 were rejected under 35 USC 102 as being anticipated by USP 6,618,749 ("Saito et al"), and claims 4-7 and 9 were rejected under 35 USC 103 as being obvious in view of the combination of Saito et al and USP 6,785,017 ("Yoshiura"). These rejections, however, are respectfully traversed with respect to the claims set forth hereinabove.

According to the present invention as recited in each of independent claims 1, 8 and 12, if a delivery confirmation mail (which notifies whether delivery of image data from the communication section/means of a facsimile apparatus has succeeded or failed) arrives at a facsimile apparatus, it is determined whether the delivery confirmation mail notifies a delivery failure of the transmitted image data. And according to the present invention as recited in each of independent claims 1, 8 and 12, a printer of the facsimile apparatus is caused to print an image based on the delivery confirmation mail, only if the determining section/means has determined that the delivery failure is notified.

That is, a delivery confirmation arriving at a facsimile apparatus may indicate that a communication of image data (utilizing a mail transmission system of a computer network) has succeeded, or it may indicate that the communication of image data has failed. According to the present invention as recited

Application No. 10/079,555
Response to Office Action

Customer No. 01933/

in independent claims 1, 8 and 12, if the delivery confirmation mail indicates that the communication was successful, then the delivery confirmation mail is not printed. That is, according to the present invention as recited in independent claims 1, 8 and 12, the delivery confirmation mail is checked to see whether it indicates success or failure of the communication of image data, and an image based on the delivery confirmation mail is printed only if the delivery confirmation mail indicates failure of the communication of image data.

As recognized by the Examiner, Saito et al discloses determining whether received mail is failure notification mail, and if the received mail is failure notification mail, then error information and image information of the original document are extracted from the mail and edited to fit on page. The one page notification is then printed by the facsimile machine (column 5, cited by the Examiner).

In addition, however, according to the teachings of Saito et al, if the received mail is delivery status notification mail, information on "success/failure" of the delivery and image information from the originally sent document is extracted, edited to fit one page, and then printed. See column 6, lines 25-38 of Saito et al.

Thus, according to Saito et al, a one page extract of "failure mail" is printed (as pointed out by the Examiner) and a

Application No. 10/079,555
Response to Office Action

Customer No. 01933/

one page extract of "delivery status notification mail" is printed, whether or not the delivery status is success or failure. That is, it is the delivery status notification mail (not the "failure mail") of Saito et al that notifies of either success or failure, in the manner of the delivery confirmation mail of the claimed present invention. And it is respectfully pointed out that Saito et al discloses that when such mail is received, a one page extract/report is printed regardless of whether success or failure is indicated.

Accordingly, it is respectfully submitted that Saito et al does not disclose, teach or suggest the feature of the claimed present invention whereby the printer of the facsimile apparatus is controlled to print an image based on the delivery confirmation mail (which has been checked to determine whether it indicates success or failure), only if it has been determined that the delivery failure is notified, as recited in independent claims 1, 8 and 12.

Yoshiura, moreover, has merely been cited for the disclosure of re-transmitting data that has failed to transmit.

In view of the foregoing, it is respectfully submitted that amended independent claims 1 and 8, new independent claim 12, and amended claims 2-3, and new claims 10-11 and 13-14 respectively depending therefrom, all clearly patentably distinguish over

Application No. 10/079,555
Response to Office Action

Customer No. 01933/


Saito et al, taken singly or in combination with Yoshiura, under
35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the
passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or
recommendations, the Examiner is invited to telephone the
undersigned at the telephone number given below for prompt
action.

Respectfully submitted,


Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

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